

Representative Christopher N. Herrod proposes the following substitute bill:

AMENDMENTS TO MOTOR VEHICLE

PROVISIONS

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Christopher N. Herrod

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Motor Vehicles Code by amending certain motor vehicle provisions.

Highlighted Provisions:

This bill:

► provides that a local highway authority may authorize a peace officer to seize and take possession of a vehicle, vessel, or outboard if the vehicle, vessel, or outboard motor is being operated on a highway within the highway authority's jurisdiction by a person:

- who has not been granted the privilege to operate a motor vehicle on a highway;
- or
- whose privilege to operate a motor vehicle on a highway has been denied, suspended, revoked, or disqualified; and

► makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:



None

Utah Code Sections Affected:

AMENDS:

41-6a-208, as last amended by Laws of Utah 2006, Chapter 337

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **41-6a-208** is amended to read:

41-6a-208. Regulatory powers of local highway authorities -- Traffic-control device affecting state highway -- Necessity of erecting traffic-control devices.

(1) The provisions of this chapter do not prevent a local highway authority for a highway under its jurisdiction and within the reasonable exercise of police power, from:

- (a) regulating or prohibiting stopping, standing, or parking;
- (b) regulating traffic by means of a peace officer or a traffic-control device;
- (c) regulating or prohibiting processions or assemblages on a highway;
- (d) designating particular highways or roadways for use by traffic moving in one direction under Section 41-6a-709;
- (e) establishing speed limits for vehicles in public parks, which supersede Section 41-6a-603 regarding speed limits;
- (f) designating any highway as a through highway or designating any intersection or junction of roadways as a stop or yield intersection or junction;
- (g) restricting the use of a highway under Section 72-7-408;
- (h) regulating the operation of a bicycle and requiring the registration and inspection of bicycles, including requiring a registration fee;
- (i) regulating or prohibiting:
 - (i) certain turn movements of a vehicle; or
 - (ii) specified types of vehicles;
- (j) altering or establishing speed limits under Section 41-6a-603;
- (k) requiring written accident reports under Section 41-6a-403;
- (l) designating no-passing zones under Section 41-6a-708;
- (m) prohibiting or regulating the use of controlled-access highways by any class or kind of traffic under Section 41-6a-715;

(n) prohibiting or regulating the use of heavily traveled streets by any class or kind of traffic found to be incompatible with the normal and safe movement of traffic;

(o) establishing minimum speed limits under Subsection 41-6a-605(3);

(p) prohibiting pedestrians from crossing a highway in a business district or any designated highway except in a crosswalk under Section 41-6a-1001;

(q) restricting pedestrian crossings at unmarked crosswalks under Section 41-6a-1010;

(r) regulating persons upon skates, coasters, sleds, skateboards, and other toy vehicles;

(s) adopting and enforcing temporary or experimental ordinances as necessary to cover emergencies or special conditions;

(t) prohibiting drivers of ambulances from exceeding maximum speed limits; ~~or~~

(u) adopting other traffic ordinances as specifically authorized by this chapter~~[-]; or~~

(v) authorizing a peace officer to seize and take possession of a vehicle, vessel, or outboard motor in accordance with the requirements of Section 41-1a-1101 if the vehicle, vessel, or outboard motor is being operated on a highway within the highway authority's jurisdiction by a person:

(i) who has not been granted the privilege to operate a vehicle on a highway in accordance with Section 53-3-202; or

(ii) whose privilege to operate a vehicle on a highway has been denied, suspended, revoked, or disqualified .

(2) A local highway authority may not:

(a) in accordance with Title 72, Chapter 3, Part 1, Highways in General, erect or maintain any official traffic-control device at any location which regulates the traffic on a highway not under the local highway authority's jurisdiction, unless written approval is obtained from the highway authority having jurisdiction over the highway; or

(b) prohibit or restrict the use of a cellular phone by the operator or passenger of a motor vehicle.

(3) An ordinance enacted under Subsection (1) (d), (e), (f), (g), (i), (j), (l), (m), (n), or (q) is not effective until official traffic-control devices giving notice of the local traffic ordinances are erected upon or at the entrances to the highway or part of it affected as is appropriate.

H.B. 228 2nd Sub. (Gray) - Amendments to Motor Vehicle Provisions

Fiscal Note

2008 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals.
Businesses that impound vehicles and local governments may increase revenues.
